



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10

1200 Sixth Avenue, Suite 900  
Seattle, Washington 98101-3140

MAR 12 2014

OFFICE OF  
COMPLIANCE AND ENFORCEMENT

Reply To: OCE-133

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

**NOTICE OF VIOLATION**

Mr. Ken Tippet  
Fleet Manager  
Coastal Villages Longline, LLC  
5470 Shilshole Avenue NW, Suite 400  
Seattle, Washington 98107

Mr. Frank Vargas  
Fleet and Regulatory Manager  
American Seafoods Company, LLC  
2025 First Avenue, Suite 900  
Seattle, Washington 98121

Re: F/V Lilli Ann  
NPDES Permit Numbers AKG524017 and AKG520387

Dear Mr. Tippet and Mr. Vargas:

Effective March 1, 2010, the U.S. Environmental Protection Agency (EPA) covered Coastal Villages Longline, LLC, F/V Lilli Ann (Vessel), under the General NPDES Permit for *Offshore Seafood Processors NPDES General Permit* (Offshore Permit), with unique identifier #AKG524017. Prior to that time, EPA covered the Vessel under the *Seafood Processors in Alaska General Permit* (Alaska Permit), with unique identifier #AKG520387. According to Frank Vargas' February 13, 2013 letter, American Seafoods Company, LLC, operated the Vessel until December 31, 2012, and Coastal Villages Longline, LLC has been operating the Vessel since January 1, 2013. The purpose of this letter is to notify you of violations that EPA discovered from a review of administrative records and an inspection conducted on November 22, 2013. The purpose of the inspection was to determine the Vessel's compliance with the requirements of the Clean Water Act (CWA) and the Permits.

**OFFSHORE PERMIT VIOLATIONS**

- 1) Sections V.A.16, VI.B.2.j and VI.D of the Offshore Permit require the permittee to conduct quarterly metals' sampling for at least two years starting the third quarter after receiving authorization to discharge. The Vessel had authorization to discharge beginning March 1, 2010, thus quarterly metals' sampling was required starting the third quarter of 2010. The report from the November 22, 2013 inspection states that there are no records showing that influent/effluent sampling took place during the third quarter of 2010. Failure to conduct metals' sampling during the third quarter of 2010 is a violation of Sections V.A.16, VI.B.2.j and VI.D of the Offshore Permit.
- 2) Section VII.A of the Offshore Permits requires that samples and measurements must be representative of the volume and nature of the monitored discharge. The Columbia Analytical

Services, Inc.'s case narrative for the fourth quarter of 2010 states that "Sample Effluent (K1014074-001) and Influent (K1014074-002) were received past the Mercury holding time." In addition, a cover letter included with the Discharge Monitoring Report (DMR) for the fourth quarter of 2011 states that the samples were damaged in transit and the results are inaccurate. Unrepresentative metals monitoring for the fourth quarters of 2010 and 2011 are violations of Section VII.A of the Offshore Permit.

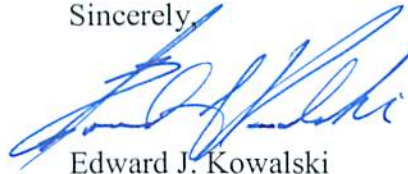
- 3) Section VII.B of the Offshore Permit states that metals monitoring must be summarized and submitted to EPA by February 14<sup>th</sup> of the following year. Inspectors noted that the company's copy of the DMR for the first quarter of 2011 was not signed or dated. There is also not a copy of this report on file at EPA. In addition, the DMRs for the third and fourth quarters of 2011 were respectively signed, March 6 and March 8, 2012. Not submitting a completed metals monitoring summary for the first quarter of 2011 and belatedly submitting metals monitoring summaries for the third and fourth quarters of 2011 are violations of Section VII.B of the Offshore Permit.
- 4) Section V.A.1 of the Offshore Permit states that a permittee must not discharge a volume or weight of seafood processing waste residues on a daily or annual basis which exceeds the amount projected in the permittee's Notice of Intent (NOI). Section IV.A.3 of the Offshore Permit states that permittees must submit an updated and amended NOI to EPA where there is any material change. The Vessel's production and discharge data provided to EPA in the 2010 Annual Report listed the total amount discharged to seas as 4,906,069 lbs. The previous NOIs, dated May 26, 2006 and May 20, 2010, list maximum discharge amounts projected as 3,015,004 and 1,760,000 lbs, respectively. This is a violation of Sections V.A.1 and/or IV.A.3 of the Offshore Permit.
- 5) Section VI.B.2.h of the Offshore Permit requires the permittee to submit at least four labeled representative pictures including the grinder system while in operation; labels should include the date, time, name of the person taking the picture, and a description of the picture itself. A picture of the grinder system while in operation was not included in the 2011 Annual Report. Labels on the pictures in the 2012 Annual Reports did not include the date, time, name of the photographer, or description of the photograph. These are violations of Section VI.B.2.h of the Offshore Permit.
- 6) Section V.A.6 of the Offshore Permit requires a pre-operational check of the outfall system before the beginning of each season. Section VII.F of the Offshore Permit requires monitoring records to be kept at least five years. The Vessel had two seasons in 2010, 2011 and 2012 but inspectors found only one log of a pre-operational check, dated December 28, 2012. Failures to conduct pre-operational checks of the outfall system before each season in 2010, 2011, and 2012 are violations of Section V.A.6 of the Offshore Permit. Failure to keep logs of these pre-operational outfall checks for at least five years is a violation of Section VII.F of the Offshore Permit.

#### **ALASKA PERMIT VIOLATIONS**

- 1) Section VII.B of the Alaska Permit states that a permittee must retain monitoring and report records required by the Alaska Permit for at least five years. Neither of your companies had copies of the 2009 Annual Report nor copies of all monitoring reports required by the Alaska Permit. This is a violation of Section VII.B of the Alaska Permit.

Although EPA's goal is to ensure NPDES facilities comply fully with their Permits, the ultimate responsibility rests with the operator of the Vessel. As such, I want to strongly encourage you to continue your efforts to maintain full knowledge of the Permit requirements, and other appropriate statutes, and to take appropriate measures to ensure compliance. Notwithstanding your response to this letter, EPA retains all rights to pursue enforcement actions to address these and any other violations. Should you have any questions regarding this letter, please feel free to contact Chris Gebhardt, Compliance Officer, at (206) 553-0253.

Sincerely,



Edward J. Kowalski  
Director

cc: Sharon Morgan  
Alaska Department of Environmental Conservation